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June 20, 2008

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: STB Docket No AB-471 (Sub-No 4X), South Kansas and Oklahoma Railroad Company -- Abandonment Exemption -- In Crawford, Wilson, Elk and Greenwood Counties, Kansas and Osage and Tulsa Counties, Oklahoma

Dear Acting Secretary Quinlan:

By notice served October 6, 2000, in the above-referenced proceeding, the Surface Transportation Board ("Board") authorized the abandonment of (1) the 35-mile rail line located between milepost 153.0, near Tulsa, and milepost 188.0, near Barnsdall, in Osage and Tulsa Counties, OK; (2) the 6-mile rail line located between milepost 359.0, at Pittsburg, and milepost 365.0, at Cherokee, in Crawford County, KS, and (3) the 23.5-mile rail line located between milepost 438.5, at Severy, and milepost 415.0, at Fredonia, in Wilson, Elk and Greenwood Counties, KS ("Severy-Fredonia Line"). By decision served November 3, 2000, the Board reopened the proceeding and imposed a number of salvage conditions recommended by the Board's Section of Environmental Analysis.

Prior to April 23, 2008, the salvage conditions constituted a regulatory barrier to consummating the abandonment of the Severy-Fredonia Line. *See e.g.*, STB Docket No AB-391 (Sub-No 8X), *Red River Valley & Western Railroad Company -- Abandonment Exemption -- In Dickey County, ND and Brown County, SD* (not printed), served October 17, 2001. Under the terms of 49 C.F.R. § 1152.29(e)(2), a railroad may not consummate an authorized abandonment if there is a legal or regulatory barrier to consummation but that once the legal or regulatory barrier is removed after the 1-year time limit for consummation, the railroad has up to 60 days to file its notice of consummation.

In the policy statement in STB Ex Parte No. 678, *Consummation of Rail Line Abandonments That Are Subject to Historic Preservation and Other Environmental Conditions* (not printed), served April 23, 2008 (the "Consummation Policy Statement"), the Board stated

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that salvage conditions are no longer a regulatory barrier to the filing of a notice of consummation. In other words, the *Consummation Policy Statement* had the effect of removing salvage conditions as regulatory barriers to the consummation of abandonments.

Pursuant to the *Consummation Policy Statement*, South Kansas & Oklahoma Railroad, Inc. ("SKO"), hereby gives notice that SKO consummated the abandonment of the Severy-Fredonia Line as of June 19, 2008.

If you have any questions concerning this matter, please call me

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karl Morell". The signature is fluid and cursive, with the first name "Karl" and last name "Morell" clearly distinguishable.

Karl Morell
Attorney for South Kansas and Oklahoma Railroad
Company